## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:18-CV-573-FDW-DCK

IONA FRANKLIN,		
Plaintiff,	)	
vs.	)	ORDER
MARK T. ESPER,	)	
Secretary of the Army,	)	
Defendant.	)	

THIS MATTER IS BEFORE THE COURT on the "Joint Motion To Seal" (Document No. 7) filed December 19, 2018. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

A party who seeks to seal any pleading must comply with the Local Rules of this Court. Local Civil Rule ("LCvR") 6.1 provides in relevant part as follows:

## LCvR. 6.1 SEALED FILINGS AND PUBLIC ACCESS.

- (c) *Motion to Seal or Otherwise Restrict Public Access*. A party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:
  - (1) A non-confidential description of the material sought to be sealed;
  - (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
  - (3) Unless permanent sealing is sought, a

statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and

matter is to be nandled upon unsealing; and

(4) Supporting statutes, case law, or other authority.

To the extent the party must disclose any confidential information in order to support the motion to seal, the party may provide that information in a separate memorandum filed under seal.

Local Rule 6.1.

Local Rule 6.1(e).

Plaintiff seeks to seal her "personally identifiable information, Privacy Act protected documents or protected health information and there are no alternatives to sealing these exhibits." (Document No. 3, p. 1). Having considered the factors provided in Local Rule 6.1(c), the Court will grant the motion to seal. Noting that the time for public response has not run as to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. <u>See</u>

**CONCLUSION** 

IT IS, THEREFORE, ORDERED that the "Joint Motion to Seal" (Document No. 7) is GRANTED. The Administrative Record may be filed under seal and shall remain SEALED until otherwise ordered by this Court.

Signed: December 19, 2018

David C. Keesler

United States Magistrate Judge